

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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**MARK COLEMAN,**

Plaintiff,

vs.

**TORI MOHLMAN, et al.,**

Defendants.

**2:19-CV-13494-TGB**

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

This matter is before the Court on Magistrate Judge David R. Grand's Report and Recommendation of August 24, 2020 (ECF No. 25) recommending that Defendants' Motion to Dismiss (ECF No. 13) be granted in part and denied in part.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections “[w]ithin fourteen days after being served with a copy” of a report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a “*de novo* determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will

therefore accept the Magistrate's Report and Recommendation of August 24, 2020 as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Grand's Report and Recommendation of August 24, 2020 is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendants' Motion to Dismiss is **GRANTED IN PART AND DENIED IN PART**.

Dated: September 22, 2020.

BY THE COURT:

/s/Terrence G. Berg

TERRENCE G. BERG  
United States District Judge